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20 America, Inc., doing business as American Standard
21 Brands, Kohler Co., Gerber Plumbing Fixtures, LLC and
22 Mansfield Plumbing Products, LLC

23 [Counsel for Other Parties Listed On Signature Page]

24 UNITED STATES DISTRICT COURT
25 CENTRAL DISTRICT OF CALIFORNIA

26 UNITED DESERT CHARITIES,
27 FRED EDE III, EMILY WILLIAMS,
28 BRUCE PRITCHARD, and JEAN
STEINER, on behalf of themselves and
all others similarly situated,

Plaintiffs,

v.

FLUSHMATE a/k/a SLOAN VALVE
COMPANY, AMERICAN
STANDARD BRANDS AS
AMERICA, INC., KOHLER CO.,
GERBER PLUMBING FIXTURES,
LLC, MANSFIELD PLUMBING
PRODUCTS, LLC, HOME DEPOT,
U.S.A., INC., and DOES 1-10,
inclusive,

Defendants.

Case No. 12-cv-06878 SJO (SHx)

Hon. S. James Otero

**JOINT STIPULATION TO STAY
PROCEEDINGS**

[Proposed Order filed concurrently
herewith]

Action filed: August 9, 2012

Berube v. Flushmate
2:13-cv-02372-SJO-SH

Brettler v. Flushmate
2:13-cv-02499-SJO-SH

Kubat, et al. v. Flushmate
2:13-cv-02425-SJO-SH

Patel v. Flushmate
2:13-cv-02428-SJO-SH

1 Plaintiffs United Desert Charities (“UDC”), Fred Ede, III, Emily Williams,
 2 Bruce Pritchard, and Jean Steiner (“UDC Plaintiffs”); Daniel Berube; Jeffrey
 3 Brettler; Randy Kubat and John Snyder (“Kubat Plaintiffs”); and Pankaj Patel
 4 (collectively, “Plaintiffs”); and Defendants Flushmate, a division of Sloan Valve
 5 Company (“Flushmate”); AS America, Inc., doing business as American Standard
 6 Brands (“American Standard”); Kohler Co. (“Kohler”); Gerber Plumbing Fixtures,
 7 LLC (“Gerber”); Mansfield Plumbing Products, LLC (“Mansfield”); and Home
 8 Depot U.S.A., Inc. (“Home Depot”) (collectively, “Defendants”), through their
 9 respective counsel, hereby stipulate and agree as follows, subject to approval of
 10 the Court:

11 1. On April 18 and 19, and May 13 and 14, 2013, Plaintiffs and Flushmate
 12 participated in a mediation of this Consolidated Action before the Hon. William J.
 13 Cahill (Ret.) at JAMS’ offices in San Francisco, California. The plaintiffs in
 14 *Dimov, et al. v. Sloan Valve Co.* (the “*Dimov* Action), currently pending in the
 15 Northern District of Illinois, Case No. 1:12-CV-09700, also participated in the
 16 mediation. On May 17, 2013, the parties, including the *Dimov* plaintiffs, reached
 17 agreement in principle with regard to the terms of a nationwide class settlement,
 18 which, subject to preliminary and final approval under Rule 23 of the Federal
 19 Rules of Civil Procedure, would dispose of this Consolidated Action and the
 20 *Dimov* Action.

21 2. To enable the parties to devote their time and attention to the
 22 preparation of the settlement agreement and the other documents that will need to
 23 be initially presented to the Court for preliminary approval purposes, and in the
 24 interest of judicial economy, the parties stipulate and agree that the Consolidated
 25 Action should be stayed, and the June 3, 2013 hearing on Defendants’ motions to
 26 dismiss Plaintiffs’ Third Amended Complaint in the *United Desert Charities* case
 27 [ECF Docket Nos. 76-77] be taken-off calendar.

3. The parties further suggest that a joint report on the status of settlement be filed with the Court within sixty (60) days.

IT IS SO STIPULATED.

Dated: May 21, 2013

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CERTIFICATION

Pursuant to Civil Local Rule 5-4.3.4(a)(2)(i), Steven H. Frankel, the ECF User whose identification and password are being used to file the foregoing JOINT STIPULATION TO STAY PROCEEDINGS, attests that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

Dated: May 21, 2013

/s/ Steven H. Frankel

Steven H. Frankel